

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 16222.0004

First Inventor Timothy J. SIMMS

Title System and Method for Establishing Communication Using a Shared Secret Key

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 30]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 3]
a. ☒ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment,
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. ___/___
Prior application information: Examiner _____ Group / Art Unit:

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label 28381 (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

Name	Leslie L. Jacobs, Jr.				
	Jay P. Chawla				
Address	ARNOLD & PORTER				
	555 12th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004-1206
Country	U.S.A.	Telephone	(202) 942-5000	Fax	(202) 942-5999

Name (Print/Type)	Leslie L. Jacobs, Jr./Jay P. Chawla	Registration No. (Attorney/Agent)	40,659/44,073
Signature	Jay Chawla	Date	11/5/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark
Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for
Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Timothy J. SIMMS
Examiner Name	Not Yet Assigned
Group / Art Unit	Not Yet Assigned
Attorney Docket No.	16442.002

TOTAL AMOUNT OF PAYMENT (\$) 1894

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

Deposit
Account
Name

Arnold & Porter

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$ 355)

2. EXTRA CLAIM FEES

Total Claims	151	-20**	=	131	X	9	=	1179
Independent Claims	11	-3**	=	8	X	40	=	320
Multiple Dependent					X		=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 1499)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Leslie J. Jacobs, Jr./ Jay P. Chawla	Registration No. Attorney/Agent	40,659/44,073	Telephone	202-942-5000
Signature				Date	November 8, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

A

ARNOLD & PORTER

202.942.5000
202.942.5999 Fax
555 Twelfth Street, NW
Washington, DC 20004-1206

November 8, 2001

Box Patent Application

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Nonprovisional Application
Appl. No.: To Be Assigned
Filed: Herewith
For: System and Method for Establishing Secure
Communications Using a Shared Secret Key
Inventors: Timothy J. SIMMS
Atty. Docket: 16325.002

Sir:

The following documents are forwarded herewith for appropriate action by the
U.S. Patent and Trademark Office:

1. this Transmittal Letter (in duplicate);
2. a Utility Patent Application Transmittal Form (PTO/SB/05);
3. a Transmittal Fee Form (PTO/SB/17);
4. a U.S. Non-provisional Application entitled:

System and Method for Establishing Secure Communication Using A Shared Secret Key

and naming as inventor:

SIMMS, Timothy J.

the application consisting of a specification containing:

- (i) 7 sheets of drawings consisting of ten (10) figures;
- (ii) 19 pages of a description prior to the claims;
- (iii) 10 pages of claims (151 claims); and
- (iv) a one (1) page abstract;

ARNOLD & PORTER

5. an executed Combined Declaration and Power of Attorney executed by Timothy J. SIMMS;
6. an executed Assignment of Application (PTO/SB/15) executed by Timothy J. SIMMS;
8. a Recordation Form Cover Sheet (PTO-1595);
9. check No. 200755 in the amount of \$435 to cover:
 - (a) basic filing fee small entity (\$355);
 - (b) 131 extra claims (\$1,179) and 8 extra independent claims (\$320);
 - (c) assignment recordation fee (\$40); and
10. two (2) return postcards.

This application claims priority under 35 U.S.C §119(e) of U.S. Provisional Application Serial No. 60/224,307 filed on August 10, 2000, the disclosure of which application is incorporated herein by reference in its entirety.

✓ The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees that may be required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment, to our Deposit Account No. 50-1824 referencing matter No. 16442.002.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Respectfully submitted,



Holly Logue Prutz (Reg. No. 47,755)
Jay P. Chawla (Reg. No. 44,073)

Enclosures

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Tim SIMMSApplication No./Patent No.: To Be Assigned Filed/Issue Date: November 6, 2001Entitled: System and Method for Establishing Secure Communication Using a Shared Secret KeyPlethora Technology, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

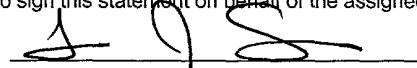
- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

November 5, 2001

Date


Signature
Tim Simms

Typed or printed name

Chief Operating Officer and
Chief Technical Officer

Title